The Black Cat

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The Black Cat

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A Calaveras Hold-Up.

BY ROBERTA LITTLEHALE.

ONE sunny summer noon of the year 1880, a man lay under a clump of chaparral at the base of a scrub-oak, near a roadside in the Calaveras foothills. He lay on his stomach, with his head on his arms; and the flies crawled over the dirt on his clothes and the pistol at his belt, only suffering disturbance because of the industry of the black ant colony which had discovered meat among the bread crumbs that had fallen from his pocket. He looked asleep, but, to one who might have seen, there were slits in the sombrero that covered his head, and the eyes behind them were not closed. Rather, they scarcely winked in the sober scrutiny of their purpose.

The road here near the crest of the hill took a sharp right angle to the north, and picked its way brokenly to the summit over rocks and through stumps and standing trees. To the southwest below, it could be seen for miles on its upward course, appearing and disappearing among the open stretches and the woodland. The scrub-oak would have to lengthen its fat shadow very perceptibly before the man would find it necessary to get on his feet; so he allowed a portion of his attention to revert to the cause of his being here.

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Billy Owen was not analytical. He did not go back any farther than his love for a woman as the representative cause of the present effect. The spirit of his ancestors, trained to conquest and struggle, had suffered a taint in the far gone years, and he had become the son of an uncertain race. There were men of them rude in virtue as well as strength, and men of them branded with a shifting eye and hunted step. Billy had always had his pleasure with a gun in his hand until these wondrous twelve months of his knowledge of Rudy. That that slight person had no acquaintance with the manner of his former life was due to the respect in which Billy held her. For himself, he couldn't get rid of a troublesome pride when he called up the men — the brakemen, and engineers, and inflated conductors — who had backed away from the steel-ringed mouth of his Colt, his Betty. And the brakemen, and engineers, and inflated conductors who hadn't backed away, and whom Betty had spat at, gave him almost more pride than the treasures he had borne off from under their bodies. But a man must be capering to more than one tune if he's to dance in the open all of his life, so Billy had been giving his later days to the panning for gold in secluded spots of the California Sierras; and the first Sunday that he had lent to the village and set apart for the play had been taken by Rudy! He remembered it all very clearly. He had been so careful to shave. Men must remember a moustache of straw color that brought out the steel in his small gray eyes. He had not changed his working dress, for a knife slips down a yawning boot-leg, and a flannel shirt yields best to one's muscles in motion. A hat with a brim was given of the gods, and Billy had drunk of the air and the anticipation, and sauntered with carelessness into the street. Painted beer by the geyserful spouted from pictured mugs at his every footfall, but he delayed that detail of his social duty until he should have been invited, and continued his march. It had seemed to him queer that the street was so empty. Only occasional men swung in and out of saloon doors, and the rival hotel chairs rested wholly idle. But it was not long before he found the cause. A little paint-blistered church sat around the corner, and its open doors had swallowed almost the entire populace. It seemed waiting for more while the thin notes of its rejoicing bell chased each

other out on the air. Service must have been about to begin, for there was only a girl standing out on the steps, and the horses in ranks along the fences, who slept, or brushed flies, or hated their neighbors, as their natures gave impulse. Billy sent the place over to a hotter climate, and turned on his heel to shake off its dust just as the restless eyes of a high-headed roan brought him to a halt.

It was then that he had heard a voice he felt he would never forget.

"There is room," it called.

Billy Owen had gone on looking over the roan. He was not the man to waste Sunday in church.

"Father's to preach on fighting," he heard it again. "There are fights that he stands by."

It was a voice, Billy thought, the bees would look for. He threw her a glance that shouldn't reveal any weakness for the sort of blood-spilling that the parson approved of, and straightway forgot to look off again. Rudy Field was smiling at him, and Rudy was radiant with the spirit of well-doing. The bell's noisy excitement had given way to the voices of the people in an opening hymn of thanksgiving, and the girl hurried off the steps, passed the horses, and laid her hand on his arm.

"He says men ought to break each other's noses if there's cause; but it's the cause," she added pregnantly, turning her eyes away towards the church.

"If two men want to get up and fight just for the pleasure of fightin'," said Billy, "and are glad to shake hands when one of 'em is hollerin'?"

Rudy's gentle eyes gave out their inspiration.

"Come and see if he'll say," she said. And Billy went to his undoing. It was never clear to him what the parson's fighting views really were. There must have gone through them fiber of good sort, because he remembered the noisy approval of his fellowmen. As for himself, a straight little form and a thin little face, with a voice singing up to the angels, left no consciousness of a judicial sort. After the last rousing hymn and the dignity of the benediction, he had sat so still that the church was emptying and the parson was up to him. If Billy had wanted to,

there would have been no escaping the zealous warmth of purpose which drew him into the family life and the church life of this country minister. The man had only Rudy and a rough little house, but the restlessness of his energy used them both for his ends.

And the days had taken wings. Billy found through the hours of his lonely working that there was something in his mind supplanting Betty and the bodies which were testimony of his prowess and his power,— a something which could not have borne the revelation of Betty and the corpses. But the very instinct that had brought pride and lust of them to Billy was not alive to a shame that threw them over altogether. In the subtleness of conquest they were not the useful weapons.

Rudy's father had been Rudy's life, and she lay awake in the night now, because a man strong in his youth and the power of his love was coming between them. The atmosphere of her training had left her without the protection of suspicion, and Rudy had only the education that her frailness, their poverty, and shifting life could yield. Her femininity showed her Billy Owen's masterful physique, his superior strength, and tonic vitality. She had begun to have insight into Billy's will power. But, of all men, he gave to her deference, and gentleness, and the alertness of his interests.

And what she was conscious must come, came.

Two miners were hurt in an accident by fire, and the minister was called for in the absence of the doctor. He had arranged to hold services in a village three miles north, and Rudy was left to carry to it the news of the church's closing. She put on a sunbonnet and went out to the barn. The old mare stepped listlessly into the shafts, when a shadow fell over the floor, and Billy filled up the doorway.

"Your father said I was to look out that you got there." He laughed, uncertain still of his welcome.

Rudy had dreaded the lonely twilight drive, and her face must have spoken for her tongue had not; but Billy took up the harnessing with a light on his own face that sent Rudy into the depths of her bonnet. She kept on her side of the fat mare, and buckled and strapped in a tangle of leather, with an indiscretion

that sent her hands to the check at Jane's head just at the moment when Billy's must meet them.

And Billy held them close, while Jane dropped her nose and sniffed at some barley grains, indifferent to the fact that her toilet was forgotten.

"Your father'd give me the word to fight the man that could take ye from me now," Billy said.

And Rudy was whiter than the hair on Jane where it happened to be clean.

"It's my father I shall never leave," she answered him.

"It's the father, His book tells ye, shall be left for the husband."

Billy dropped her hands to come around and take her in his arms.

"Say no more, girl, but the word you love me."

And Rudy had said it. And Rudy had sobbed over it, and laughed over it, and sung over it before the message was delivered and Jane in her stall again.

This was a perplexity Rudy's father laid in heaven's care. "There must be something to live on," he had used as a protest. And what had always made Billy's living but his revolver,— his Betty? The mining was snail's pace at best, and with Rudy on his heart there was mad need of haste. With everything at his hand and his Colt ready, there were only the plans, which he straightway laid. Money for the northern mines passed under his nose once every month. Mounted messengers were the things he and Betty were used to, and the advantage of his isolated claim gave him the chance for the doing in the hours of an unoccupied afternoon.

The flies lifted off on lazy wings as the figure under the chaparral at the base of the scrub-oak heaved onto an elbow and measured the shadow. With the sharp focus of quick sight, he turned to the road again. Down in the far distance a cloud of dust hung in the air. The man went onto his stomach again. The flies settled, the ants took up their burden, and the summer sun burned over all.

On came the rolling dust, the four horses, the driver, the messenger, and the passengers. They must have passed by Rudy's little house; perhaps Rudy had been looking out at them. Well,

the fools need not be hurt — it is only to march to the music. The man bent one leg and rested upon his knee to readjust the hot, black mask that covered his face. He peered down the road again. The stage must be half up the last slope. It was out of sight, but the snap of the whip came to his ears as a signal.

"Betty," he whispered close to the barrel, and got on his feet. Against the trunk of the dusty oak a man crouched, with his finger on the trigger of a gun. A stage rocked into view with two betting men, a pale little woman, and a Wells Fargo messenger, who sat on the box.

"Halt."

The horses came back on their haunches, the leaders in air.

Betty's steel-rimmed mouth had covered the crowd.

"Throw out your express box and unload your passengers."

Three men and a woman lined along the roadside with their hands to the sky, and a green, brass-handled box lay in the dust.

"Out with your horses, my hearty, and line up."

The nerve of one man can undo the natural and customary methods of four of his fellows. The driver took his team to the rear of his passengers, and Billy stepped to the front with Betty as steady as became a woman-of-war.

He ran his eye over the men. It would be time to release the woman when danger was past.

"Fall to on that box," Billy directed. He signaled a man of generous mold and ample manner, and the gentleman stood in his tracks.

"Two," said Billy. "One —"

But the man was in the middle of the road, willing and toolless. An axe was dragged from the stage, and he sent the hot fury of his anger into the strokes of the steel.

"Cut the mail pouches," came the next order, and the messenger writhed under cover as he ripped with his knife.

At that moment fell the certain distant sound of approaching horses. Heaven knows there was need of haste, and Billy stood over with curses to emphasize the vigor of his threats.

Sweat fell from the men as he turned to the woman.

"Into the ——" Billy began,—and Rudy was looking up at him! Rudy with face like chalk, and the soul of her broken and bleeding.

God! but there is one thing no man can face — the faith of a woman struck back into her heart!

Billy and the revolver wavered in one blindness, and the messenger sprang to his feet.

"Get him," he cried, and his bullet went wide of the mark. Confusion came with the moment. Men leaped to their pockets for weapons and signaled the team coming up.

Billy wasted nothing of the aid Betty held for him. He plunged into the brush at the east with his brain and his heart in the thrall of his shock. About him spit, and crashed, and split a rain of bullets, and he knew there were men of them ready to follow him on the spot.

He swore himself into energy, and beat on through the thick, thorny underbrush with the hope of their disorder sustaining him. There was a small stone corral some one had told him of — Rudy had told him of! It was hemmed in with rocks, and buckeye, and chaparral. For a theater of war it was safest for a man inside it, and there was only one approach! Rudy had once found herb roots there.

He turned sharp to the south and trailed back again, conscious that his scent was strong and his arm was true,— and to the devil with men who had lived peaceful lives in the fields of their country!

Wet drops of something warm trickled down his back. There must be a wound there. Billy forced his way along, cutting through tangles, leaping the rocks, and scaling the boulders, only halting for seconds to separate insect noises from that of the hunt of men. If he might reach his corral there would be at least breathing space for further campaigning. They were after him, hot on his trail, he knew, but the resources of his race-people gave snap to his blood.

The long, slim shadows of the late afternoon had been swallowed in the monotone of twilight when Billy Owen sat on his heels behind the walls of a stone corral on the sheer slope of a Sierra hill. The fever from his wound was racking his head, but the keenest pain that he suffered was not from that. And there could be no moment of time given over to the undisturbed thought of it. It was only the ever present consciousness through the intensity of

attention he imposed on himself. His senses were preternaturally alert; they made record of the night-millers' winging and the life of the lizards in the wall at his face. The red leaves of a poison-oak vine served as his shelter, and above this, and about it, and beyond it the chaparral, and the pines, and the buckeyes watched. From behind the mass of summer foliage the eyes of a man and the mouth of a gun were at aim and waiting.

But it was Rudy's face that was searing with fire the brain of the man,— Rudy's face, which had known only love for him, and trust in him, and pride of him. It went over him cold that her scorn of him might set them on his track. She might guess what he would make for. They had laughed at it as a robber resort. But the thought could not live. Rudy's womanliness —

. Hark! there could be no mistake — a step. He had been waiting hours for it. It could come. He needed no change of movement to send it into silence. There would be more of them behind. There must be no delay in wiping them out.

There it comes again, on and up. The fool! Does he think his life is worth juggling for? An unlodged stone trips jerkily down the hillside, and some bats blacken the air over his head. Betty is so safe, and so sure, and so ready that he will let the idiot come into her face.

A hand shows through the bushes at the gate of the corral. Billy is forced to turn; it is some one who knows the run of the land. A black figure thrusts through the branches and Betty throws out her ball of death.

"Billy," he heard in its last terrible note of misunderstanding.

He sits in the open and holds her in his arms. Her black hair hangs over her face, and he thrusts it back to clasp her against his breast, against his lips.

At midnight they find Billy Owen, the bandit. There is a woman in his arms, and their lives have gone out on a common search.

From a Trolley Post.

BY MARGARET DODGE.

HE man looked discouraged. As he stood on the corner of the avenue, his hands thrust into his overcoat pockets, his slouch hat pulled down over his eyes, he seemed to be posing for an end of the century statue of Resignation. For fifteen minutes he had been facing a purely Bostonese combination of east wind and drizzling rain, while he waited for one of the electric cars billed to pass that corner every five minutes. There was no cab station within a mile, and his train left at the other end of the town in half an hour. Besides, he lived in a city where east winds never blew, and where L trains and cable cars whizzed by with clockwork regularity. Consequently, he possessed few resources for killing time on street corners. After he had read his paper, looked over his memorandum book, and worn a path into the middle of the street by continued expeditions undertaken in hope of sighting the delayed car, he had backed up against the white trolley post, and fixed his lusterless eyes upon the row of brownstone apartment houses that lined the opposite side of the street.

Suddenly a gleam of hope lighted the gloomy eyes of the man at the trolley post. Had the car, after all, taken a "spurt"? Had the wind changed? No; the track was still clear as far as the eye could see; the vane on the nearest church pointed unwaveringly to the east; but the resigned man had made a pleasing discovery, — he had found a companion in misery.

In the third-story side window of an apartment house diagonally opposite, a picturesque, black-eyed youngster stood drumming on the window-pane and scowling out into the brick-paved area on which the window opened, with a disapproval that matched that of the man at the trolley post.

Bud, too, was a stranger within the city's gates, and he, too,

was tired waiting for luck to take a turn. He had grown up in Texas, where the sun shines for three hundred and fifty days in the year, and where every day he could wander out upon the plains and kill something. And now he had come to this cold, dismal city where he had to wear shoes and a Fauntleroy suit, and stay in when the east wind blew. For two hours he had been waiting for the sun to come out, and he had almost reached the end of his resources.

Almost, but not quite. A moment later, as the resigned man watched the little Texan standing with his nose flattened against the pane, his round, bright eyes peering down into the mist, he saw him open the window and, through the iron grating of the balcony, survey the scene below. Then, with a coltish leap, Bud disappeared into the room.

A moment later his agile little body again wriggled out onto the balcony. It was a small, rounded affair, filled with potted plants, and situated on a perpendicular line with similar balconies which belonged to the suites above and below. In the one immediately under that on which the small boy stood was placed among the geranium plants and India-rubber trees a glass globe containing several large goldfish.

Hanging out over the railing, Bud fixed his round eyes on the glass globe and chuckled. Then he looked cautiously into the room behind him. Apparently no one was in sight. Producing from the pocket of his small trousers a fish-line and hook, he proceeded to lower it until the duly baited hook landed among the goldfish. There was a deft twist of the line, a splash, and a flop; something yellow and wiggling flashed through the air, and a moment later a large goldfish lay breathing its last in a big flower pot, at the roots of an India-rubber tree.

Once more Bud chuckled. So did the man at the trolley post. He had now waited half an hour, but for the moment he had forgotten the east wind, the delayed car, and the train he wanted to catch.

Without loss of time, the boy again lowered his hook. Once, twice, three times the operation was repeated, and then the boy unlooped himself from the balcony and scraped one foot meditatively upon the other. Four quarter-pound goldfish were now

in the way of enriching the soil at the base of the India-rubber tree — and the stream was fished dry.

Did the balcony offer other worlds for this youthful Alexander? Apparently not, for after chewing up several choice geranium blossoms and practising with his bean-shooter upon a draggled sparrow he turned to go.

The man at the trolley post frowned. Having seen two acts of a play, he objected to being cheated out of the third.

Just then, however, the little comedy was continued by two new actors. Around the corner appeared an Italian hand-organist leading by a string a minute monkey gorgeously costumed in a green skirt, scarlet jacket, and green and gold cap. As the melancholy Italian put down his instrument and began grinding out "Daisy Bell," his hairy attendant scampered across the pavement and began scrambling up the iron balconies of the tall apartment house in quest of pennies.

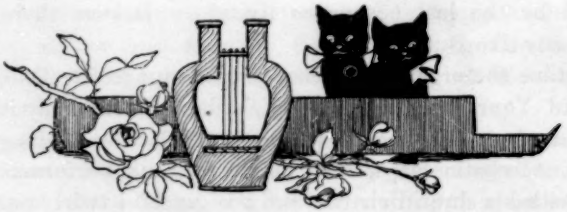
A yawning grin convulsed Bud's small features. Flinging his fish-line into a flower-pot, he climbed through the window and disappeared. He was gone only a few moments, but when he returned he bore himself with a new air. A large sombrero sat jauntily upon his black curls; from his left arm hung a coil of rope, while his brown right hand brandished above his head the loop of a lasso. As he stood there motionless, the hand holding the lasso poised in the air, he looked a perfect pocket edition of a Texas cowboy. The man at the trolley post would have wagered a large sum that among the thirty-five thousand small boys reported by the last census as living in Boston there wasn't another boy like Bud.

Meantime the organist had changed his tune from "Daisy Bell" to "Hold Your Head Up, Hogan," while the monkey had been making a triumphal progress up the iron balconies. His gorgeous uniform, acrobatic leaps, and hand-over-hand performances, together with his shrewd chatter and the graceful twirl with which he pocketed coppers, had attracted every child within a radius of four blocks. Pennies rained upon him like roses on a favorite prima donna, and the little fellow was put to sore straits to collect the rich shower. In Bud's absence he had traveled to the topmost balcony of the seven-story apartment house, and was now

resting on the fourth on his downward progress, when his bright eyes caught sight of another offering that was being thrust through the window upon the second-story balcony of the next house by a child more retiring than his neighbors. This house stood on the other side of a common area, barely fifteen feet wide, and the railing upon which the offering lay was directly opposite the one where the little beastie crouched, but some ten feet below.

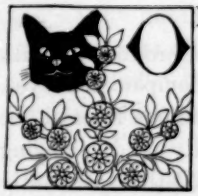
The monkey took in the situation with twinkling eyes. Then, after a brief chattered soliloquy, he humped up his back and drew himself together ready for a spring.

By this time the man at the trolley post was breathless with excitement. To attempt to keep track of the boy and the monkey at the same time was like watching a circus with two rings. By a quick glance, however, he noted that while the monkey was gathering itself for the leap the boy was standing erect, his eyes fastened on the monkey, his fingers whirling the loop of the lasso above his head with the apparent ease that means a deadly aim. Once, twice, the noose circled in the air; the monkey quivered with the impulse to spring; but just then the accident happened. The car arrived and the man from New York missed the end of the play.



An Andenken.

BY JULIA MAGRUDER.



NE summer a party of American tourists was established at a small inn in the little village of Oetz situated in the beautiful Oetzthal, one of the upper valleys of the Tyrolean Alps. The Oetzthal is the deepest valley of the Inn, and the most notable for its wild scenery, its picturesque impressiveness, and its dangerous glaciers and falls.

Most of the party came for recreation, and the novel scenes and people were a sufficient supply for that demand — as was the glorious fresh air of the mountains for those who sought health.

The one member of the party who was a worker was, strange to say, the youngest of them all,— an American girl who had been studying art in Paris with great earnestness, and whose absorbing motive in coming here was to paint. She had dozens of schemes in her head, — landscapes, peasants, interiors, etc., — and so eager was she to begin that when she arrived at the little station after dark she felt herself consciously impatient of the beautiful moonlight through which her drive to Oetz was taken, and eager for morning to come.

She was very tired, however, and slept long, and when at last awakened by her cousin, who was up and dressed before her, her first impulse was to run to the window and look out.

"Stop, Ethel, you shall do nothing of the kind!" exclaimed her cousin Florence. "That is just what I have come to prevent. I am going to stand guard over you while you take your roll and coffee, and then drop the curtains and make you promise not to lift them when I leave you to dress."

Ethel, keen for anything that would enhance the flavor of the delicious treat in prospect, gave the promise, and had kept it faithfully when Florence returned, later, to take her out on a tour of inspection. The young girl had equipped herself in her walk-

ing costume,— corduroy skirt, flannel blouse, scarlet *beret*, and stout boots,— and was ready for anything when her cousin led her from the room. So eager was her own search for the picturesque that she ignored the fact that the one or two people she encountered in going through the house might have a similar interest, which must have been abundantly gratified at the lovely vision which she made, with her golden hair twisted under the red *beret* and her lovely face aglow with expectation.

Before the front door was opened Florence produced a silk handkerchief, which she tied firmly over her companion's eyes, making her promise not to make any effort to remove it until she should be given leave. Laughing delightedly and showing brilliant teeth between a pair of fresh young lips, Ethel obediently consented to be led by the hand, up a steep hill, to be faced round in a certain position, and then to have the handkerchief whisked off, with a cry from Florence of:

"*There*, now!"

For some seconds the girl did not speak as she gazed about her. She was standing in the center of a sort of court, which formed a plateau on the crest of the hill. All around this court were low and rudely constructed houses, whose front surfaces presented a mass of decorations, indescribably brilliant. The plaster, which seemed very smoothly and firmly made, was painted or stained in various colors as a background; and upon these surfaces were painted pictures of sacred subjects, the drawing and coloring of which were crude and fantastic beyond description, though the decorative impression was most picturesque and effective, especially with the added embellishment of the brilliant blooming plants which overflowed the boxes placed across every window. Petunias, pinks, sweet peas, poppies, geraniums, and many other plants were here massed in a riot of colors, and long sprays of vine fell down and fringed the borders of the pictures below. Every available wall space was covered by one of these pictures — the favorite subjects being the "Annunciation," the "Adoration of the Magi," the "Birth of Christ," and constantly repeated representations of the "Holy Family."

Most of the houses had two stories, and there was also a box containing the blooming plants and vines fastened over every door;

and as every plant seemed at the very height of its bloom and perfection, and every picture seemed as clean and free from weather stains as if just painted, it is no wonder that Ethel received the impression so common with those who first see this brilliant spectacle.

"What is it for?" she said. "I never saw anything so decorative and brilliant, but I did not know it was any great gala day. Why didn't you tell me? And what day is it?"

"No day at all; or, rather, no gala day," said Florence.

"Then what have they done this for?"

"For religion's sake, or beauty's sake, or a mixture of the two, I suppose."

"You don't mean to say that they keep it like this all the time?"

"Yes, I do; until the frost kills the flowers, at least, and even then the pictures remain."

"And is all this done by these ignorant peasants?" asked Ethel, flushed with the delight of this new and strange impression.

"Of course. I should think you could see that the painting and drawing, at least, were of peasant origin."

"It *is* terrific in a way," said Ethel, scrutinizing with a professional squint, which sat very prettily on her charming face, a picture of the Holy Family which happened to be nearest to her; "and yet," she went on, "there's feeling in that — quite wonderful feeling! If that Virgin were not such a fright, she would really be quite beautiful. Do you see what I mean?"

"Well, hardly," said Florence, with a smile.

"Of course not! but I do mean what I say. The tender feeling of that face and figure are now completely subject to the grotesque form and crude color which the poor ignorant painter must have suffered from acutely — for he had a beautiful ideal in his mind when he did that."

"Well, you are even more knowing in art than I gave you credit for," said Florence, "if you can make that out. It seems to me to resemble nothing so much as one of the jointed dolls, made of wood, and painted with three colors,— white, black, and red, — which used to be the delight of my infancy."

"I see that resemblance," said Ethel seriously; "but I also see something else — very different. I wonder who does these things."

"I have inquired," Florence answered, "and I find that every generation has its own local artist, who makes it a profession to do these decorations, to paint the little wooden head-boards which serve as tombstones here, and also to paint the *andenken* which decorate the surrounding country. You will see them by the dozen."

"*Andenken!* What is that?"

"It is a little picture-sign, which is set up by the family or friends of a person who is killed by any of the casualties which are so common here, from avalanches or from falling rocks, which, once misplaced and started, tumble down the mountain sides with increasing velocity, and kill anything in their way. The shepherds here, who so often spend the nights with their flocks on the mountain sides, are frequently killed by them, and then, too, the inhabitants of this region are sometimes overwhelmed with torrents of mud, ejected by the mountains — not a very pretty thing to paint! But you will see dozens of these little *andenken* all about here, as they are always erected on the spot of the disaster, and always consist of a pictorial representation of it, and the passers-by are supposed to say a prayer for the repose of the victim's soul."

"How strange! I think it seems rather sweet," said Ethel dreamily.

"The custom may be; the pictures are anything else, as you will soon discover; although, since you admire this Virgin, there's no telling what you will think."

"I do admire it!" said Ethel, looking toward it again, "I should like to know something about the man who did it. Oh, to think what it would be to him, to teach him to use his fingers and realize his ideals — for that he has ideals I am certain. But where are all the people who belong to these enchanted houses? And why is it that we see nobody about?"

"They are all at work in the fields at this time of the day."

"But their houses are open!"

"Of course! They are never closed, except when the weather makes it necessary."

"But people could go in and steal!"

"Yes, they could, but it seems they don't! One reason for

such uprightness may be that there is so very little to steal. Come and look into this one!"

They advanced to the door, which stood wide open, mounted the low steps, and looked in.

"How charming! How delicious!" exclaimed Ethel enthusiastically.

Florence answered with a laugh of amiable derision.

"Where the charm and delightsomeness come in, I must say I do not pretend to see! An old room, with its low rafters stained black with smoke, and a long earthenware stovepipe running through it and threatening the life of those who pass under it! — an old stove surrounded by — I will admit — the brightest bits of copper, and brass, and tin that any housewife could boast — and a squatty little table piled up with carrots, and onions, and cabbages! You, I suppose, will be wanting to paint it next!"

"I want to paint it now, at once, this minute!" cried Ethel. "My fingers fairly itch. I want to paint those copper cans, and brass kettles, and iron pots with exactly this light upon them — and those vegetables, too! Oh, if I only could, while the impression is so fresh and strong upon me!"

"Well, so you can! you have only to fetch your easel and box and begin at once."

"But I have not got permission, and there is no one here to ask!"

"No matter at all about that! These peasants are the most amiable beings on earth. I have come to understand them very well. Go to work and do your picture, and I promise to make everything right when the family returns."

Urged by Florence, Ethel, who was really longing to make this picture, ran back to the little inn for her box and easel, and was soon at work, sketching in her picture rapidly, with an absorbed face, while Florence sat by her and watched its progress and prepared herself to explain things on the return of the family.

Ethel sat at her easel in the center of the old, low-roofed room, her scarlet cap flung on the floor beside her and her golden head shining tenderly under the smoky rafters. Her picture seemed to grow by magic, and as she brought out the brilliant polish of metal on the old vessels, and the soft bloom of vegetation upon

the cabbages and carrots, etc., on the table beneath, she was feeling that triumph of achievement which sometimes comes to reward a painstaking artist for much discouragement.

So absorbed was she that she did not notice Florence when she rose, at the end of about two hours, and slipped quietly out of the house. She had seen the family returning, and she went to meet them. Her explanation, graciously and smilingly given, was received in the same spirit, and the two women and several children had soon filed noiselessly into the rear of the room and stood there, silent and delighted, watching the progress of the young artist's work. Florence had given them some coins, which to their frugal minds seemed an inordinate price to pay for the privilege accorded, and they were evidently in high good humor.

Presently Ethel, in a pause of her breathless interest, happened to turn her head and catch sight of them. She had a brush between her white teeth, but she smiled radiantly, and, taking it out, came forward to greet them. She felt, however, a certain hesitation as to how to deal with this strange people, and was glad to accept the word of Florence that she had made everything right, and to express her thanks, merely. At the same time she offered to stop work, in order that the details of her study might be put into more active use. But the women protested, declaring that dinner could wait until the picture was done, and showing such evident desire that she should not interrupt her work, that she consented to go on a little longer.

"But why does she not paint the Holy Mother and the Blessed Child, if she can paint like that?" said one of the women aside to Florence. "My nephew, Anton Wald, is a painter. He made the picture of the Holy Family on the outside of our house, but he would not paint such things as kettles and cabbages! He is the finest painter in the whole valley, though he is angry if I say so, and sometimes he throws down his brush and will not paint again for months, because he says the pictures in his mind are beautiful, but that they are hideous when he puts them down. That is only his strange way, though, for his pictures are most beautiful, as you can see from the one on my house, and all the new head-marks in the churchyard are done by him, and some most beautiful *andenken*. The picture of Frau Muhlau's son,

who was mashed under a great rock, is a lovely thing; the saints have mercy on his soul!" she added, reverently crossing herself.

"Where does this Anton live?" said Florence; "he would perhaps like to see the Fraulein paint. She has learned in the greatest painting-schools in the world, and has had the makers of the most beautiful pictures to show her how they did it."

"He will be here to get his dinner by and by. He has no parents or home, poor boy! he is a good lad, though queer at times, and I am glad to have him to live with me. Ah, here he comes now!" she exclaimed. "Hans ran to fetch him, I see, and has told him about the beautiful lady and the picture."

At the same moment there appeared, through the back doorway of the house, the figure of a tall young peasant, not dressed in rough farming clothes, but in a nearer approach to the holiday attire of the Tyrolean of that vicinity. He wore corduroy knee breeches, gray stockings, and a brown coat which flared over a red waistcoat and broad striped belt. The facings of his coat were also striped with red, as were his sleeves about the hands. On his head was the wide Tyrolean hat of tan-colored felt, faced with bright green, and trimmed with a bright green ribbon, with streamers falling behind.

As he noiselessly entered the room and stood gazing at the beautiful figure whose back was turned to him, he seemed not to see it, or be conscious of the others who were present, for his eyes fixed themselves eagerly on the canvas, and, as he looked, the eagerness deepened and strengthened, until it changed into a radiance of delight that seemed scarcely unmixed with awe.

As if unconscious of himself and his own act, he slowly removed his hat and stood bareheaded and as if spellbound in his place, his gaze fairly devouring the picture.

"The saints preserve us!" whispered the woman. "What a strange lad this Anton is! one would think it was the Holy Virgin herself, in the picture, instead of those old pans!"

"I don't think it is the subject that interests him so," said Florence, "I think it is because he has never seen painting like that done before. The Fraulein is a beautiful painter, and he — being a painter himself — would be quick to see that."

Ethel, meanwhile, painted on unconscious. She was always

wholly absorbed in her work when it was "going," and Florence knew that she had been as oblivious as sleep could have made her of all that had happened around her.

But now, becoming conscious of her cramped position, and also of the fact that she had successfully secured her impression, which was all that she had aimed at, she laid her palette down, and, rising, turned and looked about her. Satisfaction in her work had made her feel very content, and she remembered also her obligation to these good people, and the two things made her always beautiful smile now seem unusually winning, as it rested upon Anton, who had advanced nearer to her than had the others, and who now turned his worshiping gaze from the picture to the painter's lovely face.

So ardent, concentrated, eager was that gaze that Ethel flushed under it, looking lovelier than ever. Turning to the group who stood near Florence across the room, she seemed, by a look, to ask an explanation.

"It is the young painter who did the Virgin that you admired," said Florence in English.

Ethel's face lighted up with pleasure and recognition, and making a step toward him, she held out her hand, and said in her pretty, half-timid German:

"As we are both painters, we must shake hands."

But the young peasant, very white and startled looking, stepped back.

"It is not true," he cried. "Who has told you that I am a painter? I am only a wretched dauber and cheat. I will never touch color or brush again."

Ethel looked at him with a fervent gentleness.

"You are wrong," she said. "You will go to your work again, with a love and earnestness such as you have never known. You think my little picture here is good, and so it is, because I have been taught the way to do a thing; but I, with all my study, have never done and can never do such a picture as the one you have made on this house. The spirit and soul of creation has been born in you, and not in me. You have only to learn how and you will be an artist. I have already learned how, and I am only a workman. Listen," she went on eagerly, "I am going to stay

here all the summer, and I am going to give you a lesson every day. I can teach you all I know, and if you do as well as I expect, you will, after that, go to Munich and study, or to Paris. The time will come when you will offer me your hand, and I shall not dare to take it, as you have not dared now."

The group of peasants, now augmented by the arrival of two men, looked on in astonishment. Florence, comprehending both their wonder and the cause which had produced it, made a hasty explanation, and hurried Ethel away, helping her to gather up her belongings and to express her thanks.

Just as they were ready to go, the young girl, with a quick impulse, held out her little canvas to Anton, saying impulsively:

"I will give it to you. You can take it and study it carefully. It may teach you something. When you are a great painter you shall give me a picture of yours. And, remember, I shall expect you at the hotel to-morrow, to arrange for your first lesson."

That was the way it began,—this intercourse between the two young artists.

That evening, Ethel, looking more lovely than ever in a soft blue gown, with her hair loose about her shoulders, sat alone in her room writing, with a look of joy on her face. She wrote some of these sheets every evening, and sent them off by post, twice a week. She had written several pages with rapidity, and now paused and read them over with a look on her face which showed how much her own subject interested her. She took up her pen and went on:

"Now that I have described to you my wonderful young painter and his really remarkable mural work, I must tell you about his painting on the little wooden head-boards in the church-yard. Such a picturesque little church it is, perched on a steep cliff, overlooking the lovely valley through which the river winds, and beyond which the great mountains rise immeasurably high! There is a cunning priest's house near the church, with a fascinating old sun-dial on its walls (one never sees a clock here). This little house is also founded upon a rock — but, oh, how barren and empty it looks! and how lonely! You would be filled with pity to see it! The church-yard is the tawdriest thing you can imagine, with the graves hung about with bead flowers, faded

immortelles, and as many little images, and medals, and crosses as can be got together; but the awful thing is the head-boards! These are made of wood and every one is decorated with a picture of the departed and his family, the living members of which are kneeling around his dying bed, while the dead ones appear in a bank of clouds above. The horrible distortion of these figures, and the grotesqueness of both the earthly and heavenly garments, is something ghastly — and yet I could single out, every time, those painted by my young Anton, by that truly wonderful feeling and aspiration. Oh, I shall be proud of my pupil yet — and already his feeling for his teacher amounts to veneration. (You, sir, have never looked at me with such worshipful eyes, in your life!) I gave him his first lesson to-day, and it was a thrilling experience! He is going to take to it like a duck to water, and his love for beauty is absolutely touching. I saw him looking, with a sort of hungry delight, at the opal in my ring (my *dear* ring!) Its marvellous color changes were an evident feast to him. Oh, I am so glad Providence guided me to this place. My Anton is such an interest and impulse onward to me, and will help to beguile the long, weary, desolate, empty days — until you come!"

In due time there came an answer to this letter, and, in turn, an answer to that. And meanwhile every day Anton received a painting lesson, and advanced by strides. It was a deliriously happy life into which he had entered, and he seemed to others, and still more to himself, to be new made. The glow of health which came into his cheeks, and of fire into his eyes, made the strong young peasant suddenly develop a radiant beauty, which was so striking and extraordinary that Ethel could not resist such a model, and set to work to paint him.

She made a spirited and beautiful study of him on a small canvas, painting him full length, in his Tyrolean costume, with the black pointed hat, ornamented with its proud group of rare and perilously purchased little feathers, for Anton was a sportsman as well as an artist, and had won these trophies by his own skill and daring, and many was the votive offering, so procured, which he laid at his young teacher's feet. It was but natural that he should wish to make some return for the hours of patient instruction which she daily bestowed upon him.

So thought Ethel, but did her correspondent, perhaps, have, some other idea?

One day she got a letter from him which contained this paragraph:

"You want me to explain why it is that I always refer to your pupil as 'poor Anton!' It is truly because I pity him,—you most bewitching of women! My own blessed ownership of you makes my heart gentle to the rest of men — even including lowly Tyrolean peasants, who are, by circumstances, quite removed from you. And I wondered if it were only the dear opal ring which he looked at so hungrily that day. Do not forget that it is far less beautiful than the hand which wears it. In short, my own child, I would wish to put you a little on your guard — for this poor Anton's sake!"

After this letter it seemed as if the serpent had entered into Eden, for a fear was in Ethel's heart which she had never known before. Anton had lately been engaged in doing a portrait of her, and while she posed for him she gave him lessons. The ardor which she had thrown into this piece of work and the extraordinary success he was having with it came to Ethel's mind now with a new and disturbing significance.

Next morning she got Florence to go to Anton with a message to say that she was not well and could not pose for him, so that he would have to work without her that day, in the little studio which they had improvised.

"But how can he work without his model?" asked Florence.

"Oh, he can go on with the hair to-day. I gave him a great lock of mine yesterday to paint from, when I had to leave. I wish I hadn't!" she added, with a tone of sudden compunction.

Florence returned from her mission to say that Anton had decided not to paint at all that day, and was full of concern for his teacher's illness. But again the next day Ethel did not go, but remained in her room writing page after page of one of those long letters. Anton passed her window and looked up at her. His face was flushed and eager, and very beautiful. In spite of all this, however, Ethel gave him a more formal bow than he had ever received from her before. He had become "poor Anton"

to her also, now, and she was doing her best to manifest her true sympathy for him.

The next morning when Ethel failed to come again, Anton went hunting. Florence, who saw him just as he was setting out, learned that he was going in search of a certain bird, whose wings Ethel had once expressed a wish to have for a hat. The capture of these birds was a somewhat dangerous enterprise, and when Ethel heard where he had gone she felt a vague alarm.

. . . . . .

All this was long ago.

Now, when tourists go to the Oetzthal, as they do in far greater numbers than they did then, one of the sights pointed out is a certain *andenken*, high up the mountain side, done with an exquisite art, which separates it conspicuously from the rest of its class.

It has two sides. One is a fine portrait of a young Tyrolean peasant — a model of fresh and vigorous beauty, — and the other is a representation of the very spot on which it stands — not covered with verdure and flowers, however, but with a great mass of sliding snow, whose terrific rush downward is depicted with the power of a master hand.

Underneath there are a few words in German and in English, asking the passer-by to pray for the repose of the soul of Anton Wald.

It was painted, the tourist is told, by a young American lady, who spent a summer at Oetz, and was married immediately afterward. She had given painting lessons to the young peasant, and had left this *andenken* of him.

No record exists of the additional facts that when Anton's body was found the coveted bird was in his hand, and that in a little silk bag around his neck was a fair tress of shining hair.

This *andenken* Ethel carries in her heart.

The Man from Maine.

BY J. D. ELLSWORTH.

AS a Westerner, I was amused by the discreet sinfulness of Boston; but when business called me to Maine, our down-east sister, whose temperate example is always held before our eyes, I felt that I was about to set foot on the stepping-stone of heaven. To provide against the serpent that must inevitably haunt such an Eden, I filled my pocket flask with the standard Western remedy for snake bites.

The train left the Union Station at nine in the morning, and anticipating a stupid ride I went into the smoking-car to enjoy a cigar and read my newspaper. The car was fitted up with mahogany card tables and stationary cribbage boards. In the seats in front of me were three traveling men.

"Play euchre?" said one of them, looking toward a lean, lanky stranger.

"Does it cost anything?"

"Not a cent."

"Well, then, I guess I'll come in," and he opened himself like a jack-knife and strolled to his place. His thin, freckled face looked as if it had been carved with a chisel, and his clothes were economically cut to save cloth. Altogether, he had an air of Yankee thrift that might suggest to a cynical observer that he had taken the rear seat to save the interest on his fare while the conductor was making his way through the car. There was a chill about him that suggested a diet of ice-water, and when he cut the cards I half expected that they would be frost-bitten by his touch.

As the train rushed over bridges and through suburban cities the novelty of my surroundings so engrossed my attention that I did not notice the card-players again until I heard the lean stranger say:

"I guess I'm going to be real sick. I never had such a fearful pain before in all my life."

He put his hand on the pit of his stomach, and there were sharp lines in his face that indicated intense agony. The dealer looked up sympathetically, and his partner said:

"I've got a little something with me from Kentucky. Perhaps it might do you good."

"I come from Maine," said the stranger, "and we don't drink rum down there. But, as a medicine, I might take a few drops, if you don't think it would go to my head."

The drummers assured him that something warming was just what he needed, and a bottle was brought forth. The man from Maine took a drink, cleared his throat, and seemed better at once. Then the game went on.

Lounging back in my seat and watching the dissolving panorama of snow-bound villages, I ruminated on the incident. It was impossible not to pity the people of Maine, whose strict prohibition principles deprived them of the gracious influence of a little stimulant in cases of sudden illness.

At Lynn I was reminded of the euchre players as one of the drummers got out and another passenger took his place. The last comer carried a gun case and was dressed for a hunting trip. When we reached Salem at 9.35 the two remaining drummers left. The lean stranger and the sportsman found two new partners and continued playing.

As I had finished my cigar and exhausted my newspaper, I tried to amuse myself by watching the game. When the cards were passed to the lean stranger he shook his head and pushed them over to his partner.

"Deal for me," he groaned; "I've got an awful pain in my side. It seems like pneumonia, but it may pass in a minute."

The group looked solicitous, and the sportsman, taking a black bottle from the pocket of his hunting-bag, said:

"Take some of this, man; you musn't fool with a pain like that."

"I come from the State of Maine," said the sufferer, "and I'm opposed to strong drink. But, rather than delay the game, gentlemen, I'll take a little as medicine."

"Of course ; it's the only thing to do," interrupted the other players.

The man from Maine put the bottle to his lips, and then coughed and said that he didn't know whether the liquor did it, but that he certainly felt better.

At the town of Newburyport the lanky representative of the Pine Tree State was left alone at the card table. I was becoming interested in him. As we crossed the bridge over the Merrimac I lost sight of him for a moment, but when the train had passed the State line I walked forward in the car. My invalid friend was playing seven-up with a swarthy stranger.

Dropping into a seat, I patiently waited for developments. We were due to reach Portsmouth at 10.40. I looked at my watch from time to time and then at the man from Maine. I saw that he began to get uneasy. His face showed signs of suffering and he coughed violently. He went from one spasm into another until it seemed that he could not recover his breath.

The brakeman brought some water in a tin cup. The suffering man motioned him away, gasping, "I wouldn't dare (cough) to take water (cough) ; it makes it worse."

The swarthy stranger drew from his grip a pocket flask and handed it to the sufferer. The spasmodic cough ceased for a moment, and a familiar voice said :

"My friend, I hail from the State of Maine and believe in total abstinence. I can't take a drink, but I'll just swallow a few drops as medicine."

We rolled into Portsmouth as he handed back the half-emptied bottle. There were tears in his eyes, but his cough was stopped.

When we reached North Berwick it seemed as if the very air was different. It was Maine air and evidently agreed with the man who claimed that State as his home. He settled himself in the corner of a lonely seat and figured industriously on both sides of an envelope.

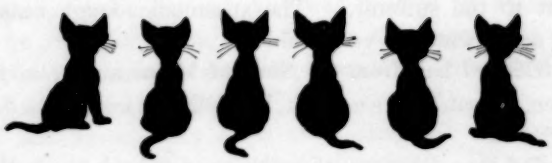
The car was almost deserted after we left Biddeford, and another change came over the unfortunate representative of prohibition. In a very low tone he asked a question of the conductor, who replied by shaking his head decidedly. Then the man from Maine went forward into the baggage car and returned with a

pale, haggard face. I wondered how his complaint would develop. Perhaps it was smallpox or measles by this time.

A glance at my watch assured me that the sun had passed the meridian. Bringing out the flask I had filled at Boston, and unscrewing the top, I said, "Stranger, will you join me?"

"Thanks, very much," he replied; "I am a Maine man —"

As the train slowed up at Portland, the remainder of his sentence was drowned in the gurgling sound of liquor that flowed gently and smoothly as in a familiar channel.



A Wedding Tombstone.

BY CLARICE IRENE CLINGHAN.

O you never heard tell of Melindy Barbour's weddin' tombstone?" said grandma in a tone of surprise. "For the land's sake, I thought everybody knew about that."

I confessed the most abject ignorance and immediately drew up to the fire. This was partly to gain information and partly because, although the fireplace was wide and deep throated and big logs were blazing in it, there were biting draughts of stinging November air coming in at the loosely fitting door. For grandmother would not be persuaded to leave the home that had been hers for fifty years, and which now showed some signs of decay. She sat knitting vigorously by the firelight, for, although she had all the modern conveniences of heating and lighting, her big fireplace cast its ruddy glow out into the room through all the long winter evenings. I was an angular schoolgirl of fifteen then, with a great love of the romantic, and was on a four weeks' visit at the old homestead. It seemed never to occur to grandma that, having been raised in a different part of the country, the happenings at Ragged Corner (where she lived) would naturally be unknown to me. She always expressed fresh surprise at my ignorance on these subjects. After knitting a few minutes in silence, she began:

"You've seen the old stone house down on the bank of the river, all shut in with pines and evergreens? It's nigh a hundred years old. When I was born it had been built ten years. When I was a young married woman the Barbours came to live there, and they was proud, high-feelin' people that nobody could get acquainted with. That's what made 'em take it so dretful hard when — but here I am, way ahead of my story. You see, Mr. Barbour embezzled or did something of that kind, and went to

prison. After he had been there a year he up and hung himself, and that is the last of him so far as my story goes.

"Then his wife and little boy shut themselves up in the stone house and never went outside the gate hardly. She'd had a good deal of schooling, his mother had, and she taught him herself as long as she could, and then he bought books and studied by himself. He tried going to school when he was a small boy, but one of the scholars threw it at him about his father, and Mortimer nearly killed him, and after that his mother kep' him home. And she was such a proud woman, was Mis' Barbour, and lofty and severe in her ways. She wouldn't let nobody sympathize with her, which everybody wanted to, as there's so little going on in a place like Ragged Corner. Mis' Barbour was real selfish with her grief, so she got herself disliked, besides folks bein' suspicious after the way her husband turned out. What did they live on? Oh, the boy farmed it, and later they do say he wrote books on what they call natural history, though to my mind it was the most unnatural stuff I ever heard tell of,— all about beetles and bugs with three hundred muscles in their heads, and as could carry twelve hundred times their own weight on their own backs, which everybody knows he must have got up as he went along. They were dretfully taken up with each other, he and his mother, and she believed everything he said was so, even about the bugs and beetles. But she was his own born mother, and that explains it.

"When she died, Mortimer liked to went crazy. He planted her grave with vi'lets and pansies, and at the head was a white marble monument he had gone to the city for — nothing nearer would suit him. But he didn't display no taste. Nothing on it, my dear, but the old lady's name and the date she died — not an angel, nor a cherub, or a lamb, or a broken rosebud, nor a bit of verse. And yet he always seemed to set store by her.

"Then Mortimer, he just stuck to the old house, same as ever, though now he was alone. I used to wonder how it seemed to him late at night hearin' the swash of the river and the sighin' of them pine trees. He wore his hair long, as was the custom in them days, and it was curly up at the ends, like the picture of John Wesley. But he had eyes that went right through you and

came out the back of your head. And he never set foot into the meeting-house, nohow.

"Now, he was the last man in the village I'd ever said would got married. But as sure as you set there, when the little milliner, Melinda McAllister, came into the place, he was struck. That wasn't nothing strange — all the young fellows was — but, mind you, *she was struck, too*. No, you wouldn't 'a' thought it. Everybody warned her, and told her about his father's hangin' himself in prison, and how queer his mother was, and that Mortimer was as odd as Dick's hatband and wouldn't come to no good. She listened, with her eyes big and cool and a little hot patch of red on her cheeks like a daub of paint, but she never said a word. That was Melindy McAllister all over, never to say a blessed word, but go and do just as she saw fit. First we knew they was engaged, and it was given out in meeting. Next day her aunt she lived with came in to see me, and wrung her hands, sayin' she wouldn't be surprised if Melindy was murdered before the year was out. What can you think of a man who lives like a hermit, and had a crooked father and a peculiar mother?

"But we wasn't prepared for the worst. A day or two before the wedding, in comes old Mis' Johnson, and says, 'Shut up the doors tight,' says she, 'and the winders. I've got something to tell you that'll make your hair rise up,' she says, whisperin'-like. So I shut the door, she a-workin' her hands together like one possessed. 'It's about Melindy,' she went on. 'He's been and got a tombstone for her.' 'Who?' asked I, as if I didn't know, but my knees knocked together and I felt a bit sick. 'Mortimer Barbour,' says she. 'My grandson, Johnnie, was after a bird's nest in a tree over in his yard. The limb broke, and down he went right onto the roof of the old cornhouse, that hasn't been used for years. It went in under him like tinder, and as soon as he could pick himself up and found no bones broke, what should he see but a new white gravestone, a-settin' up quite pert in a corner against some rubbish. He went up to it, and he says as true as the Bible he saw 'Melinda Barbour' cut on it, and the date she is a-goin' to die.' 'I don't believe it,' says I, but I was all a-faint, and had to go and make us each a cup of tea, so we could bear up under it.

"As soon as I said I didn't believe it Mis' Johnson said we'd go ourselves and *see*. And we did go, Mortimer bein' away in the fields, and got into the cornhouse. It was towards dark, and we shook with the cold, though it was a warm day in June. We'd brought a bit of candle with us, and Mis' Johnson lit it, and then we saw — land sakes, child, how scairt you look; don't get so near the fire, honey, you'll be all ablaze. Where was I? Oh, we saw the stone, just as Johnnie said, a real gravestone of white marble, and on it the name 'Melindy Barbour,' with the date 'Sept. 5, 18—,' below it. But the rest we couldn't make out. 'He's going to let her live three months, may heaven forgive him,' says old Mis' Johnson, meanin' different from what she said.

"The next day I went to Melindy, and told her the whole truth. And would you believe it, she said she thought Mis' Johnson and I had no business prying about other people's affairs? 'If he had bought me a thousand gravestones I'd have him just the same,' says she. So they was married the next day in the meeting-house, but Melindy was white as a ghost, and she trembled so she could hardly walk. They went right away on the cars, and we threw some old shoes after 'em, but all the wishin' of joy was make believe, and I never saw a bride with such a white, set face, never looking at her husband nor yet at us.

"They was away nearly three months; then they came back to the old house. But folks said they wasn't happy, that she was as cold as a stone, and he was always at his books and old insects. One day I got a letter askin' me to come and see her. She was lyin' down on a lounge when I got there, white and so thin, with big eyes with a sorry, hungry look in 'em. But she had on a smart gown, and was as pretty as a pictur. As soon as we'd shaken hands and I'd taken off my bonnet and mantilla, she says, 'Do you know what day to-morrow is?' Then I thought it up, and said it was the 5th of September. 'The day I am to die,' she says in a soft, quiet way. Then I up and asked her if Mortimer had been ill-treatin' her, but she put up her finger, and said, 'Not a word to my husband; he doesn't know I know it.' Then she said he was awful good to her, but she couldn't get that gravestone out of her head day or night. All at once it came to me

how matters was; she'd been too proud to give him up, besides her likin' him, too; and she'd been too proud to tell him about it; and so betwixt the two the poor child was almost beat out. She asked if I would go out to the cornhouse with her to see the stone. She wanted to see it and was afraid to go alone.

"Then a queer thing happened. Mortimer had come into the next room while she'd been talkin', and heard every word. I never saw anybody so stirred up as he was when he came in. 'Is that tombstone what has stood between us?' he said, and went on to explain that it had been ordered for his mother. He was such a bad writer that the stone cutter mistook the name Malviny for Melindy, and after the stone was half done it was found out, and they made him pay for it. So, as it was his, they brought it to him, and, not knowin' what to do with it, he'd just set it up in the cornhouse and forgot all about it. Melindy, she began to cry, and then they fell to huggin' and kissin' each other, as if they hadn't met for years. I tried to put in a word to ca'm 'em, but they saw me without seeing me, and heard me without hearing me, so I put on my bonnet and mantilla and came away and left 'em.

"After that? Dear me, they was the happiest couple you ever saw. They used the gravestone for a front doorstep, wrong side up, and it was real pretty. Melindy was dretful proud of him, and believed every word he wrote about them bugs and beetles, just as his mother did, which only goes to show that the old sayin' is true, that love is blind."

The Other One.

BY A. H. GIBSON.

NEVER recall it without shuddering, though it happened over thirty years ago.

I was then a young man, occupying a position of trust in the banking firm of Dillard & Hatch. One day I was sent to carry five thousand dollars in gold to Caleb Parton, a very eccentric man living in an isolated house in a wild, hilly part of West Virginia.

Parton was the bank's heaviest depositor, and his wealth was said to aggregate a half million. The day before, his servant, a large negro, had appeared at the bank with a message requesting Dillard to send him eight thousand dollars in gold. He arranged that I was to be the one to carry the amount to him, and further suggested that I should make the trip in a wagon, so that I could take back a cask of rare old wine, which he begged to be permitted to present to the firm.

It was a hard journey over rough, stony roads, which were seldom traveled, except by the plodding mountain folk of that region ; and not until two hours after sunset did I reach the queer stone dwelling where Caleb Parton lived a hermit-like existence, shut away from all the world. The place was a lonely one, in the heart of an uninhabited, hilly tract of country covered with extensive forests.

I was impressed with the deepest sense of this loneliness, as I drew rein before the solitary stone house. Hitching the horse to a tree, I was guided up the indistinct path by a meager, yellowish light that struggled through the panes of an upstairs window.

Although I knocked loudly at the door, it was fully ten minutes before I heard any sound within. Then, half cautiously, the thick oaken door opened, and a dark-faced, wiry man, somewhere between fifty and sixty, looked out at me.

"Who are you?" he demanded.

"Hope, of the firm of Dillard & Hatch," I returned.

"Ah! It's you, come at last, is it?" he said, holding the lighted candle so as to get a better view of my face. "Well, come in, Mr. Hope."

He led the way up a flight of stairs and through a hall into a wide room, lighted by a brass lamp. The furniture was scant, but of a heavy, antique pattern. A faded Brussels carpet covered the floor, and in one corner stood a desk with a small iron safe near by. A narrow table in the center of the room held a decanter and glasses with the remnants of a lunch.

Motioning me to a chair, my strange host took the sacks of gold, which I carried in a stout bag, and threw them against the safe. The clang of the falling coins sounded dismally through the silent apartment.

"What a curse love and gold can be to a man!"

He spoke bitterly. I had never met Caleb Parton before, and as he uttered these words I looked at him carefully. His face was of a dark olive tint, while his deep-set eyes were small and intensely black. They were full of magnetism and subtle cunning.

He became conscious of my scrutiny, frowned a little, then turned toward the door.

"If you'll excuse me, Mr. Hope," he said, "I'll bring you up some refreshments. You must be tired and hungry after your long ride."

In a short time he returned, bringing a tray on which was a choice repast, with a bowl of strong coffee.

"You see I'm my own servant, Mr. Hope," he said, putting the tray on the table. "My man, Joe, is off to a camp-meeting and won't be back before daylight."

As I ate the lunch which Caleb Parton had brought me, he emptied the gold from the sacks upon the floor and counted it over carefully.

"Correct!" I heard him chuckle to himself, as he flung the refilled sacks into the safe.

After I had finished my lunch, Parton exhibited two fine pipes and invited me to join him in a smoke.

"Excuse my oversight. There's not a drop of wine left in this decanter," he said, after examining it.

"No matter," I returned. "I never drink wine."

"Tut, tut, man! you miss half your life. Now, I have a very choice collection of wines. Come, I'll give you a peep at my vaults."

He arose as he spoke and took up a candle. I had no interest whatever in wines, but I accompanied him.

Descending to the lower hallway, we passed through a long, dreary room, then down narrow stone steps into a capacious cellar, walled on every side with heavy masonry.

The place was damp and musty. Dust and cobwebs covered the casks and bottles that littered the whole end of the cellar. My host did not halt till we reached a heavy iron door fastened with a large, rusty padlock. I noticed a demoniacal expression on Parton's face, as he held the light close enough to the lock to examine it.

"No, it's never been meddled with," he remarked with a chuckle. "Ten years is a very long time for a man to live on wine — but he was very fond of wine — very — ha, ha!"

I looked at Parton in amazement, much puzzled as to the import of his strange words and manner.

He turned to me with a quick gesture.

"A thousand pardons!" he said. "You think my actions strange. But — shall I? —" a wild flash in his eyes. "Yes, Mr. Hope, you shall have the story. I must tell it to some one. It's too good to keep. Ha, ha!"

"Take a seat," he continued, pushing a cask towards me, upon which I dropped, not certain that I was not in the presence of a madman.

Taking up a bottle, he brushed the cobwebs from it, then, breaking off the neck, passed it to me, saying:

"Take a pull. It's damp in this cellar, and this will take the chill out of your blood. This is an excellent wine — it was a favorite brand with Judson Pickford. Yes, sir; and Judson was a competent judge. Ha, ha!

His laugh made me shiver. It sounded like the exultation of a fiend. But I declined the wine, and Parton himself drained the bottle.

"You've never heard of Judson Pickford?" he asked.

"No."

"Of course not. That was before you came, and it isn't likely that excellent Messrs. Dillard & Hatch would mention him to you. But they could tell you a great deal about Judson if they were so disposed."

"Judson Pickford was a strange, dark man. I met him first in society in Baltimore. And, strange to say, many declared that there was a strong resemblance between Pickford and Parton. Be that as it may, fate decreed that we should both love the same girl, — beautiful, winsome Mabel Raymond. I loved her from the hour we first met, and I've no doubt my rival's passion was as intense as my own. I was a rich wine merchant, and Pickford a wealthy, brilliant stock-broker. Both of us vowed to win Miss Raymond, but from the first I saw that she favored Pickford's suit. This made me hate my rival with deepest hatred. After they were married I went about for months like one stupefied. In losing the only woman I loved I lost all interest in life. I drank heavily, but the more I drank the more I felt myself urged on to revenge. Then I began to lay plans for Pickford's ruin.

"When he and his wife were in Europe I saw an excellent chance to mature my scheme for his destruction. I first converted all my property into cash. Then I came to this secluded place and had this house built, where I might live apart from the world I hated. Afterward I went to Dillard & Hatch, and placed five hundred thousand dollars in their bank. I knew Dillard to be a noted schemer, so I took him into my confidence, and got his promise to help me. Hatch, being a weak man, was not hard to rope into the plot. No need for me to go into details of the steps by which Dillard and I artfully spread a net for our unsuspecting victim. It is enough to say that soon after Pickford's return from abroad he was a ruined man. Penniless though he was, he didn't lose heart. He moved into plainer quarters and took up the practise of law, a profession which he had followed before he became a stock-broker. But my vengeance was not yet satisfied. Mind you, though, I took pains never to let him suspect I was even most remotely connected with the cause of his ruin.

"Just when Pickford was having his hardest struggle I went to him with an offer to start him in business. He gratefully accepted my offer. I sent him alone to New York with a large sum of money. Then, disguising myself, I followed him. In the city I removed my disguise and sought out Pickford, telling him I had changed my plans for him. I directed him to come here the next night, but to tell no one of our business. He kept the appointment. We met at the station, six miles below the hills, and walked here to this house. It was a dark night. No one saw us. He was fond of wine, so after I had urged many a glass upon him I conducted him to this vault. In his drunken condition I had no trouble to get him to enter it. Then I shut and locked that iron door upon him. He had only a cask of wine to keep him company. That was ten years ago, and that door has never been opened since."

A low laugh from the narrator ended his grewsome tale, while a gleam of fiendish triumph flitted across his swarthy face.

A cold chill crept up my spine, and I arose involuntarily.

Was there truth in his awful narration, or was it merely the ravings of a maniac?

"A wholesome tale to go to bed on, eh, Mr. Hope? Ha, ha!" he laughed, as he arose and led the way upstairs.

When I was alone in the room where I was to spend the night, I decided that the wine which Parton had drunk was responsible for the horrible story to which I had listened.

Next morning, while I was despatching an early breakfast, Negro Joe and Parton carried out a cask of wine, which they placed in my wagon.

Just before starting, my strange host handed me a sealed letter, saying:

"Give this to Dillard, and tell him I hope he'll find the wine superb. Good-by, Mr. Hope," and he waved me off.

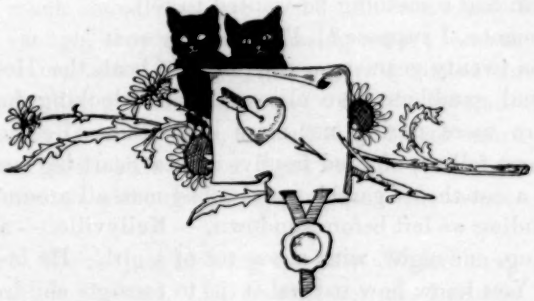
When I reached the bank I gave the letter to Mr. Dillard. As he read it his face turned a sickly hue and his mouth twitched nervously. Recovering himself, however, he ordered Hatch and me to open the cask which Parton had sent him.

We obeyed at once. As the top of the cask was broken open, we started back in horror.

There, preserved in wine, was a *human head*,— the head and face of Caleb Parton, the recluse millionaire!

Then Dillard explained that his letter was from Judson Pickford, who, with the help of Negro Joe, who hated his harsh master, Caleb Parton, had effected his escape from the vault. But a month later, his wife having died, Pickford had returned one dark night and killed the man who had so cruelly ruined him. The head of his enemy had been put in a cask of wine to send to the banker, who had aided in accomplishing his financial ruin. With peculiar cunning, he had appropriated not only the name and looks of Parton, but his property and bank account as well. In carrying out this deception, he had a faithful ally in Negro Joe.

It was Pickford himself who had related the dark story to me. It seemed almost incredible. A visit to the lonely stone house with two officers discovered a headless body in the vault. But Pickford and his ally had disappeared.



Stateroom Six.

BY WILLIAM ALBERT LEWIS.

HINGS have changed greatly on the river. There are no open bars, no card playing, no shooting; much less travel, for that matter.

We were a half dozen at supper. I sat opposite a gray-bearded man, who, when he had completed his meal, closely scrutinized a modest-appearing young woman quietly supping at another table. She finished and departed. When she was gone my neighbor leaned across and said:

"Perhaps you thought it funny I watched that lady so closely? But that's 'Sis.' I remember her twenty years back, on this very boat. My! but what a look at her brings to my mind!"

He leaned back, his eyes on the table, a grim smile broadening a kindly countenance, and pushed both hands deeply into his pockets.

The man had something he wanted to tell.

"A romance, I suppose? I'd like to hear it."

"It was twenty years ago, and on this boat, the Hester Hale. Professional gamblers were always aboard, looking for victims. None were more daring nor more lucky than 'Ready' Rankin. A handsome fellow, of good family, with a heart big and manly, if he was a cut-throat gambler and a bad man all around. Down at that landing we left before sundown, — Kellyville, — an old man was waiting, one night, with a wee tot of a girl. He brought her aboard. You know how natural it is to consign children to the care of some person? The child was the old man's granddaughter. She was to get off at Low Water Landing, which is the next stop we'll make, a few minutes from now. He happened to put the child in 'Ready' Rankin's care. He agreed to see her safely ashore and to deliver her to her ma. 'Ready' got a stateroom, put the child in one of the berths, and gave her a bag

of candy to keep her from crying. Then he went below for a game. The play chanced to be tolerable heavy that night, with Rankin an eight-thousand-dollar winner. But it ended in a row; and Rankin, seeing trouble ahead, rolled his pile in a newspaper and laid it beside the sleeping child in the stateroom. The boat was then a half hour from the landing. 'Ready' got into a fight with the man he beat at the table, and was badly shot. His last words were confused. He said something about:

"'Stateroom six — little one — Low Water Landing — money.'

"The boat made the landing. They woke the child up, put all the bundles into her arms, and turned her over to her ma.

"Sis's mother soon discovered the package of money, and met the boat at the landing on her down trip next night, to make inquiries of the captain. But he knew nothing. Rankin had been buried that day up river. Nobody knew anything about any money. So Sis's mother kept it, trying all the time to get some knowledge of Rankin's family. That she could not do. They had disowned him.

"About three years ago a party of young men came up the river hunting. They stopped off at Low Water Landing and boarded with Sis's ma. One of the young fellows was teller in a bank down in Natchez. He fell head over ears in love with Sis. You can't much blame him, can you? She's awfully handsome. Naturally enough, they got to comparing notes; and the story of the money came out. Do you know, sir, it turned out that the young bank teller was Rankin's son? Fact! He and his mother and step-father lived together, and all they'd ever heard was that 'Ready' had been killed in a fight on the river. They didn't mourn overmuch, although 'Ready' wasn't the worst chap that ever lived.

"There! We're just blowing for Low Water now. Let's go on deck and see Sis land. Up to visit her ma, I reckon."

"Rankin's son is going to marry her, I suppose?"

"Married, man! Year ago, last Christmas. They live as cozy as you please down in Natchez. He's cashier of that bank now."

We stood by the rail as the boat made fast. The young lady tripped lightly ashore and greeted a white-haired old lady.

The Hester Hale resumed her way.

"Step this way. I'll show you where 'Ready' was killed."

We strolled to the gangway. He pointed to a little bullet hole in the casement.

"There were three shots fired. 'Ready' fired one and I — "

I looked up quickly into his patriarchal face. He paled, and fixed his eyes on me.

"I didn't mean to say so much, friend; but I believe you are a square man. This spot has a fascination for me. And it is twenty years ago, twenty — years — ago."

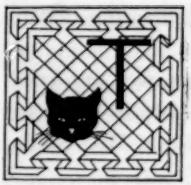
His head drooped. He seemed to be thinking of something beside what he uttered.

"I understand you," I said.

I pressed his hand, and went to bed.

Her Eyes, Your Honor.

BY H. D. UMBSTAETTER.



HE witness is yours."

As the prosecuting attorney sat down, the spectators craned their necks and eagerly leaned forward. Every one expected a merciless cross-examination, as the reputation of the young lawyer, who had been brought two hundred miles to defend the prisoner, had preceded him. And though Delos McWhorter had thus far taken no part in the proceedings, he was the most conspicuous figure in the great trial. One person alone rivaled him,— the mysterious woman who stood at the bar, charged with murder. The hush that fell upon the packed court-room as the man slowly rose to his feet resembled the awful silence with which the death sentence is awaited. As he stood silent and irresolute for a moment, the color rising to his plain, youthful face, his fingers nervously fumbling with a pencil, the spectators were conscious of a feeling of disappointment.

With almost boyish embarrassment, his eye sought that of the presiding judge; next he scanned the faces of the jury, and then, turning to the witness, in a voice at once gentle, sarcastic, and magnetic, he began:

"Mr. Slade, I will trouble you to look once more very carefully at the prisoner. Perhaps she will rise that you may see her better. You have testified that shortly before eight on the night of the murder you saw this woman enter the apartment house of which you are the janitor, and in which the body of Charlotte Ames was found. Now, I would like to have you tell the jury just what it was in the appearance of the woman you say you then saw that enables you to swear to-day that she and the prisoner are one and the same person."

The witness, fearing a trap, hesitated, and nervously eyed the lawyer.

"I would like you to tell us," calmly continued the questioner, "whether you took such particular notice of her height, her face, her complexion, her hair, her nose, and her teeth during the few moments that you say you saw her in the dimly lighted hallway, four months ago, as to enable you to swear to-day that you cannot be mistaken. Was it her size, her apparent age, perhaps, or the color of her hair, or what?"

"It was her looks," answered the witness, squirming in his seat. "It's the same woman."

"Yes, her looks; but I must trouble you to answer my question so that the jury may have the whole truth before they are asked to send any one to the gallows. Remember, Mr. Slade, you are under oath. Now tell us, what was it?"

"We object," came from the prosecuting attorney as he sprang to his feet. "We object, your honor, to this attempt to intimidate the witness."

Before the court could pass upon the objection, the witness, turning from his questioner to the court, exclaimed half defiantly:

"It was her eyes, your honor!"

"That is all," came from the lawyer for the defense, as he resumed his seat; and the spectators relaxed into a condition of restlessness that clearly showed their further disappointment.

Each of the succeeding witnesses declared without hesitation that the prisoner was the woman they had seen near the scene of the murder, either just before or shortly after the deed was discovered. As one after the other was dismissed by the defense, upon insisting under cross-examination that he could not possibly be mistaken, the faces of the government counsel beamed with satisfaction, while those of the spectators assumed the blankness of mystification. What was the strange lawyer there for? they whispered among themselves, and many turned toward the prisoner as though to ascertain whether she realized how surely her life was being sworn away. In his opening address the prosecuting attorney had said:

"On the second day of last November, a woman residing in this town, young, rich, and notorious for her gay and reckless career, was found murdered in her bed at half past eight at night.

Everything about the room was in perfect order. There had been no robbery, and the instrument used was found in her breast, where it had been driven to the heart. It was a gold ornament, such as a woman wears in her hair.

"We shall not attempt to defend the character of the dead woman, but we shall ask that justice be done.

"It is true that many a woman in this town had good reason to wish the murdered woman ill. It is true that there are men in the community who might have been driven by desperate hate, desperate love, or desperate jealousy, to do the deed, but, fortunately, before cruel suspicion made any blunder of that sort the police discovered the criminal. Almost simultaneously with the rumors of the murder came the reports of a mysterious woman found leaving the city. Within twelve hours this woman, who now stands at the bar, had been identified by no less than four people, who saw her in the vicinity of the scene of the crime either before or after it was committed.

"No one knew her. She refused to give any account of herself. She appeared to be in a state of great nervous excitement. The government will show that she entered the house shortly before the murder was committed; that she left it a few minutes after the deed was done; that on the very day of the murder she had high words with the dead woman, and that the instrument with which the deed was done was such an one as the prisoner was known to possess. Gentlemen of the jury," he concluded dramatically, "Fate plays no tricks of that sort. Fate fashions no such chain of circumstantial evidence as that which establishes the guilt of this woman and upon which we ask her conviction."

These were his words, and now that the janitor had testified that he saw the prisoner enter the building, a patrolman had declared that he saw her leaving it within fifteen minutes before the crime was discovered, and the dead woman's coachman had sworn to having overheard the prisoner using threatening language to his mistress, — after this and other circumstantial evidence had gone before the jury and remained unshaken by cross-examination, the prosecution announced that the case for the government was in.

In spite of the disappointment with which the spectators re-

garded Lawyer McWhorter, a nervous dread of the man possessed the minds of the opposing counsel, as he rose slowly and deliberately clasped his hands behind him. He was so calm. His methods were so unfathomable that they began to feel a vague conviction that he mastered them and their methods, while to them he was a closed book.

A moment he stood silent, and when he spoke, utter consternation fell upon the court. The words were the last they had expected.

"Your honor, the defense has no evidence to offer."

Even the court could scarce control its amazement. Inch by inch the ground upon which the prisoner stood had been carried away, until now nothing but the personal appeal of her counsel could save her life. Was this possible? Did this young stranger really possess that rare eloquence, that fatal magnetism, that sometimes blind strong men to all sense of reason and right? Did even he hope to save his client? His looks betrayed nothing. As he took his seat his face was that of a sphinx.

The attorney for the government lost no time in beginning his closing speech. "We commend the judgment of the distinguished counsel for the defense," he began, "which deterred him from attacking the overwhelming proofs we have submitted of the prisoner's guilt. We commend the keen judgment which prompts him to rely upon the famed magic of his own voice rather than to seek hope for his client in the uncertain words of unreliable witnesses. The defense, too clever to attack such proof as we have presented, will now rely upon silvery tongued oratory and superb rhetorical appeals to secure from these twelve men a verdict of acquittal. But, may it please the court," he concluded, "our learned brother mistakes the intelligence of these gentlemen of the jury, if he supposes, for one moment, that fervent appeals to their sympathies can make them forget their duty to themselves, to civilized society, and to womankind." So well satisfied, however, had the spectators become of the prisoner's guilt, and so completely did all interest now center in McWhorter's anticipated speech, that the remarks of the prosecuting attorney were listened to with indifferent attention.

Now, surely, the brilliant advocate would demonstrate his ability, even though he could not save his client.

"The woman," he began, amid oppressive silence, "who was arrested on the second day of November last, stands charged with murder. As no testimony has been offered to show that she committed murder, the defense will not waste your time or insult your common sense by unnecessary argument. You have been told with great clearness by the witnesses for the prosecution that the prisoner was seen to enter and leave a certain house at certain hours; also that on a certain day she had high words with a certain woman. But, gentlemen of the jury, under the laws of your State that doesn't constitute murder. A woman may pay a visit to an apartment house at eight o'clock at night, she may have high words with another woman in the public highway, she may even wear a gold ornament in her hair, — she may do all this without becoming a murderess. The evidence adduced is purely circumstantial. No proof whatever has been offered that the accused woman killed Charlotte Ames. In the absence of such testimony, it is your duty to yourselves, to civilized society, and to womankind, to acquit the prisoner." Before the last word was spoken he sat down.

The entire court room was again taken by surprise. While the brief speech had the ring of cleverness, it fell far short of the general expectations.

After hearing the judge's charge to the jury not one person in that vast assembly doubted the result. Few felt any sympathy for the woman, and those few were men. The members of her own sex were as a unit arrayed against her. The pride of her pale beauty antagonized them. The very women who in their hearts had wished the dead girl ill and who would have committed the crime themselves, except that they lacked the courage, had no pity for the accused. There was something in her beauty above and beyond them, and, womanlike, they hated her for it.

Not a soul left the court room as the jury filed out, for all expected a prompt verdict. In this they were not disappointed. Ten minutes later the twelve men filed solemnly back. Not an eye sought the face of the prisoner, who, like her counsel, sat entirely unmoved.

As the clerk rose the silence became deathlike. "Prisoner,

look upon the jury. Jury, look upon the prisoner. Have you agreed upon a verdict?"

"We have."

"Is the prisoner at the bar guilty or not guilty of the crime charged against her?"

"Guilty."

With difficulty the demonstrations of approval that broke out in every part of the room were checked by the court officers.

Moved by that inevitable heart-stopping vision of "hanged by the neck," every spectator turned to the handsome woman in the dock.

The calmness with which she received the stares of a thousand eyes was marvelous. No one expected that she would now break her mysterious silence. When, therefore, she rose and turned her eyes towards the court the spectators sat fairly spellbound with surprise.

"May it please your honor," she began in a firm, clear voice; then, lifting one slender white hand, she pointed to the door at the back of the witness stand.

Every eye followed her gesture. A tall female figure, heavily veiled, accompanied by one of the associate counsel of the defense, stood in the doorway. The next moment she raised her veil, advanced rapidly, and took her place beside the prisoner.

The scene that followed resembled a street riot, rather than the solemn proceedings of a court room. Men, wild with excitement, mounted their chairs, women rose in their seats, pushing, jostling, and crowding each other in their frantic efforts to get a better view of the highly sensational proceedings. The confusion was indescribable, the noise deafening. Not until McWhorter was seen to spring to his feet did the court officers' vigorous rapping and loud cries for order produce any effect. Instantly all was silence. Rigid suspense held the spectators breathless. With the light they had missed in his eye and the fire they had longed for in his voice the young lawyer spoke, addressing the judge:

"May it please the court, — nice customs must bow to desperate needs. When a man is called upon to face in defense of a woman's life such odds as I found in this case, when he sees justice outwitted by the devil's trick, — circumstantial evidence,— he must resort

to the devil's weapon,— cunning. Such evidence as has been here given has hanged many a man, and I believe that when a man of any heart, any soul, any chivalry, sees that it is likely to hang a woman it becomes his duty to combat fate as the defense has done in this case.

"I ask your honor, I ask the jury, I ask the witnesses, to look upon these two women. As they stand there side by side, there is a marked difference in their heights, a decided difference in the color of their hair, a striking difference in the color of their eyes, a very perceptible difference, even at this distance, in the tone of their skin; and, I may add, a difference of eight years in their ages. The woman who has just been pronounced guilty of murder is the wife of a gentleman who throughout this trial has sat within the shadow of the jury. She is innocent, as God is my judge. Every moment of her life up to this very instant can be accounted for. In substituting her to-day for the real prisoner, the defense had no desire to circumvent justice. We merely wished to save this court, this community, from the everlasting shame of hanging a woman whose guilt has not been proved. We wished to show to your honor and to these gentlemen of the jury that it is monstrous to accept as conclusive such evidence as has been given in this case. May it please your honor, this jury has just pronounced a verdict of 'guilty' against my own wife. I move that here and now this verdict be set aside."

The request was granted, and, although McWhorter was charged with unprofessional conduct and threatened with disbarment, his client was promptly acquitted on the new trial which the court ordered.